

**TOWN OF ROCKY HILL
ZONING BOARD OF APPEALS
MEETING OF DECEMBER 16, 2014**

1. CALL TO ORDER

Chairman Reilly called the Tuesday, December 16, 2014 meeting to order at 7:01 p.m. in the Town Council Room of the Rocky Hill Town Hall, 761 Old Main Street, Rocky Hill, Connecticut.

Present: James Reilly, Chairman
Joe Coelho, Vice Chairman
Phil Benoit, Secretary
Greg Faulkner

Also: Frank Kelley, Zoning Enforcement Officer
Eileen A. Knapp, Recording Secretary

Chairman Reilly went over the procedures for the public hearings and noted that any decision of the Board can be appealed within 15 days of the decision. Secretary Benoit read the legal notice.

Frank Kelley said he received the proof of mailings for both applications.

2. PUBLIC HEARING

A. Appeal 2014-15, Rakesh Patel, c/o Danburr Rocky Hill LLC, requesting a variance to allow for additional 31 square feet of wall signage to the allowed 16 square feet of wall signage under Section 6.4.C of the Rocky Hill Zoning Regulations for property located at 38 Town Line Road in a RC- Regional Commercial Zoning District, ID# 04-553

Ms. Deesha, Co-owner of the business addressed the Commission asking for an extra 31 square footage for their wall sign. They would like their signage to be visible from the highway. The current sign is smaller than the other signs in the plaza. They feel that the size of the sign could pose a safety hazard to cars traveling by who are trying to read their sign. The other stores in the plaza have received variances for larger signs. The storefront is 60' wide.

There was a discussion about whether this sign is considered a marquis sign or a wall sign. It was determined that this is a wall sign that will have individual, channel letters that are mounted on the wall lit with led lighting.

Public

No one was present to speak for or against the application.

B. Appeal 2014-16, Jeffery Torello, application requesting a variance from the Rocky Hill Zoning Regulations, Section 3.5.1 to allow for a 5' side yard setback reduction from 10' for a proposed detached garage for property located at 372 Parsonage Street in an R-20 Zoning District, ID# 04-312

Mr. Jeffrey Torello of 372 Parsonage Street addressed the Commission. He is asking for a variance to the side yard setback in order to build a detached garage. His hardship is that the lot is a non-conforming lot, which is only 80' wide. The location is the only place for the garage if they are to maintain a safe distance from their house. They need the garage not just for parking, but also for additional storage as their home is less than 1,000 sq. ft. If the garage were pushed further behind their house, it would probably affect the maple tree in back. Many homes in the area have added garages so he feels it would be in character with the neighborhood. He is still under the required minimum lot coverage. The garage is 18'x 30' with an additional half story on top for additional storage. Mr. Torello submitted a picture of what he is proposing. The garage is under the height requirement but it is also taller than their actual home. The size of the garage is larger than normal, but he drives a large pickup truck. Mr. Torello said his neighbors on that side are aware of his application and they are not opposed. The driveway will be extended to the entrance of the garage.

Public

No one spoke from the public either for or against the application.

3. NEW BUSINESS

A. Appeal 2014-15, Rakesh Patel 38 Town Line Road ID # 04-553

A MOTION was made by Commissioner Benoit to approve Appeal 2014-15, Rakesh Patel, c/o Danburr Rocky Hill LLC, requesting a variance to allow for additional 31 square feet of wall signage to the allowed 16 square feet of wall signage under Section 6.4.C of the Rocky Hill Zoning Regulations for property located at 38 Town Line Road in a RC-Regional Commercial Zoning District, ID# 04-553 due to the hardship stated. Seconded by Commissioner Incarvito. Chairman Reilly agreed that the smaller sign may cause a public safety issue. Commissioner Incarvito said he would like to see more details added to the signage regulations. Vice Chairman Coelho said he is in favor of this variance because of Regulations 8.7, which states "A variance can be granted in harmony with the general purpose and intent of these Regulations with due consideration for preserving the public health, safety, convenience, welfare and property values and so that substantial justice shall be done and the public safety and welfare shall be secured. **All were in favor, MOTION CARRIED UNANIMOUSLY.**

B. Appeal 2014-16, Jeffery Torello 372 Parsonage Street ID # 04-312

A MOTION was made by Commissioner Benoit to approve Appeal 2014-16, Jeffery Torello, application requesting a variance from the Rocky Hill Zoning Regulations, Section 3.5.1 to allow for a 5' side yard setback reduction from 10' for a proposed detached garage for property located at 372 Parsonage Street in an R-20 Zoning District, ID# 04-312. Seconded by Commissioner Faulkner. Commissioner Faulkner said he does see a basis for hardship but he is concerned about the large size of the garage. Commissioner Incarvito said even the narrowest of garages would still need a variance. All were in favor, MOTION CARRIED UNANIMOUSLY.

4. OLD BUSINESS

5. ANY OTHER BUSINESS

A. Action on 2015 Meeting dates

A MOTION was made by Commissioner Benoit to approve the 2015 ZBA Meeting Dates as presented. Seconded by Vice Chairman Coelho. All were in favor, MOTION CARRIED UNANIMOUSLY.

6. APPROVE WORKING NOTES/ MINUTES – October 21, 2014

A MOTION was made by Chairman Reilly to approve the minutes and working notes of the October 21, 2014 meeting. Seconded by Vice Chairman Coelho. 4 were in favor (Reilly, Coelho, Benoit, and Faulkner) one abstention (Incarvito), MOTION CARRIED UNANIMOUSLY.

Chairman Reilly noted that the Staff and Commission are working on a master checklist for what constitutes a hardship for an application. There will be a decision made about whether or not this will be included in the Town's Regulations. Mr. Kelley said he will also try to be more available to Applicant's when they submit their applications in order to educate them on what is required as far as proving that they have a hardship that requires a variance.

Vice Chairman Coelho asked for a status update on Regulations for temporary structures. Mr. Kelley said he thinks they were waiting on additional information from the Planning & Zoning Commission, but he will check with Kim Ricci.

7. ADJOURN

**A MOTION was made by Commissioner Faulkner to adjourn the meeting at 7:45 p.m.
Seconded by Commissioner Incarvito. All were in favor, MOTION CARRIED
UNANIMOUSLY.**

Respectfully submitted,

Eileen A. Knapp
Recording Secretary